

The following committees reported bills adversely today, as follows:

Revenue and Taxation: House bills Nos. 175 and 170.

Education: House bill No. 165.

Judiciary: House bills Nos. 108, 190 and 146.

Municipal and Private Corporations: House bill No. 114.

Criminal Jurisprudence: House bills Nos. 43, 17 and 104.

Counties: House bill No. 79.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, January 24, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 20, A bill to be entitled "An Act to amend Articles 586 and 587, Chapter 6, Title 11, of the Penal Code of the State of Texas, so as to provide a penalty for betting on all public elections, and defining public elections, and declaring an emergency."

H. B. No. 1, A bill to be entitled "An Act to amend Article 1173, Chapter 4, Title 15, and Article 1142, Chapter 3, Title 15, of the Code of Criminal Procedure of the State of Texas, relating to the fees allowed sheriffs or other peace officers performing the same services in misdemeanor cases to be taxable against the defendant on conviction, and the allowance to sheriffs by the commissioners court of the several counties in this State for the safekeeping, support and maintenance of prisoners in jail, or under guard, and declaring an emergency."

And find the same correctly engrossed.

SNEED, Chairman.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, January 25, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 7, Inviting Hon. Henry Watterson to address the Legislature,

Have carefully compared same and find it correctly enrolled, and have this day, at 10:30 o'clock a. m., presented same to the Governor for his approval.

FAUBION, Chairman.

TWELFTH DAY.

(Wednesday, January 26, 1921.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Adams.	Henderson
Aiken.	of Marion.
Baker.	Hendricks.
Baldwin.	Hill.
Barker.	Horton.
Barrett of Bell.	Johnson
Barrett of Fannin.	of Gillespie.
Bass.	Johnson of Ellis.
Beasley	Johnson
of Hopkins.	of Wichita.
Beasley	Jones.
of McCulloch.	Kacir.
Beavens.	Kellis.
Binkley.	King.
Bonham.	Kveton.
Black, O. B.,	Lackey.
of Bexar.	Laird.
Black, W. A.,	Lauderdale.
of Bexar.	Lawrence.
Brady.	Lindsey.
Branch.	Looney.
Brown.	McDaniel.
Bryant.	McFarlane.
Burkett.	McKean.
Burmeister.	McLeod.
Burns.	Malone.
Carpenter.	Martin.
Childers.	Marshall.
Chitwood.	Mathes.
Coffee.	Melson.
Cox.	Menking.
Crawford.	Merriman.
Crumpton.	Miller of Dallas.
Cummins.	Miller of Parker.
Curtis.	Morgan.
Darroch.	Moore.
Davis, John E.,	Morris of Medina.
of Dallas.	Morris
Davis, John,	of Montague.
of Dallas.	Mott.
Dinkle.	Neblett.
Duffey.	Neinast.
Duncan.	Owen.
Edwards.	Patman.
Estes.	Perkins
Faubion.	of Cherokee.
Fly.	Perkins of Lamar.
Fugler.	Perry.
Garrett.	Pollard.
Greer.	Pool.
Grissom.	Pope.
Hall.	Quaid.
Hanna.	Quinn.
Hardin.	Rice.
Harrington.	Rogers of Harris.
Harrison.	Rogers of Shelby.
Henderson	Rosser.
of McLennan.	Rountree.

Rowland.	Thompson
Satterwhite.	of Harris.
Schweppe.	Thompson
Seagler.	of Red River.
Shearer.	Thorn.
Sims.	Thrasher.
Smith.	Veatch.
Sneed.	Wadley.
Stephens.	Walker.
Stevenson.	Wallace.
Stewart	Webb.
of Edwards.	Wessels.
Stewart of Reeves.	West.
Swann.	Westbrook.
Sweet of Brown.	Williams
Sweet of Tarrant.	of McLennan.
Teer.	Williams
Thomas	of Montgomery.
of Limestone.	Wright.
Thomason.	

Absent—Excused.

Laney.	McCord.
Leslie.	Quicksall.

A quorum was announced present.
Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

LEAVE OF ABSENCE GRANTED.

The following member was granted leave of absence on account of important business:

Mr. Laney for the balance of this week, on motion of Mr. Horton.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

By Mr. Childers:

H. B. No. 241, A bill to be entitled "An Act to repeal Chapter 60 of the Local and Special Laws of the Regular Session of the Thirty-sixth Legislature, approved March 13, 1919, creating a special road system for Falls county, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Faubion, Mr. Teer, and Mr. Rountree:

H. B. No. 242, A bill to be entitled "An Act authorizing the erection of a monument to the memory of the soldiers, sailors, marines and nurses from Texas who lost their lives during the war between the United States and the Imperial German Government; providing for the appointment of a committee; making an appropriation therefor,

permitting private donations, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Merriman:

H. B. No. 243, A bill to be entitled "An Act to amend Section 2, Section 26, of Chapter 48, of the General Laws of the First and Second Called Sessions of the Thirty-sixth Legislature of the State of Texas, so as to provide for and make definite the right to include all or part or more than one political subdivision of the State of Texas, within fresh water supply districts at their organization and to limit the issuance of bonds by such district, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Hill:

H. B. No. 244, A bill to be entitled "An Act to amend Article 6867 of the Revised Civil Statutes of Texas, 1911, providing time in which to remove and adapt fences to roads laid out by the commissioners court, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Laney:

H. B. No. 245, A bill to be entitled "An Act to amend Article 521, Chapter 6, Title 14, Revised Civil Statutes of the State of Texas, 1911, and to amend Section 5, Chapter 205, General Laws, passed by the Thirty-fifth Legislature at the Regular Session thereof, approved by the Governor April 9, 1917 providing for this amendatory act to be Article 521 of the Civil Statutes; and providing for the appointment of State bank examiners and general liquidating agent, for their discharge and removal, and establishing and fixing their salaries; making an appropriation of \$13,802.00 to cover increase of salaries and expenses of examiners, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Laney:

H. B. No. 246, A bill to be entitled "An Act to establish and fix the salaries of the Commissioner of Insurance and Banking, an officer of the State Government of the State of Texas; making an appropriation, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Lindsey:

H. B. No. 247, A bill to be entitled "An Act creating a more efficient road system for Tyler county, Texas; providing that each commissioner of the same shall be ex-officio road commissioner of his precinct; providing for an inspection of roads, bridges and culverts by said commissioner; providing for bonds, compensation and duties, and providing for the work of delinquent poll tax payers on the public roads and relieving them from the performance of said road work by the payment of \$5.00; providing that the commissioners court shall have power to build roads, bridges, culverts, etc., by private contract; providing that the commissioners court may employ a superintendent who shall be an experienced civil engineer in road building; providing penalties for the violation of this act, and this act shall be cumulative of all general laws of this State not in conflict herewith; repealing Chapter 82, Special Laws, passed by the Thirty-second Legislature, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Bonham, Mr. Stewart of Reeves, Mr. Hall and Mr. Jones:

H. B. No. 248, A bill to be entitled "An Act to provide for the extension of time in which to develop oil and gas under permits heretofore issued under the mineral act of 1917, upon islands, salt water lakes, bays, inlets, marshes, and reefs owned by the State of Texas within tidewater limits, and that portion of the Gulf of Mexico within the jurisdiction of Texas."

Referred to Committee on Public Lands and Buildings.

By Mr. John E. Davis of Dallas, Mr. Faubion, and Mr. Stephens:

H. B. No. 249, A bill to be entitled "An Act to apportion the State of Texas into representative districts, and to fix the number of representatives thereof, and to repeal all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Representative Districts.

By Mr. Adams:

H. B. No. 250, A bill to be entitled "An Act to amend Subdivision 7, of Article 2241, Chapter 2, Title 40, of the Revised Civil Statutes of 1911, so as to authorize commissioners courts of

any county to provide for the construction and repair of schools or homes for dependent and delinquent boys and girls, either one or both such sexes, and to purchase sites therefor."

Referred to Committee on Counties.

By Mr. John Davis of Dallas:

H. B. No. 251, A bill to be entitled. "An Act forbidding transaction of business in Texas under an assumed name other than the real name or names of the individuals conducting such business, unless such individuals file in the office of the clerk of the county where such business is to be conducted a certificate containing the names and addresses of such persons; providing for the keeping of special record of such certificates by the county clerks of the State; providing a filing fee to be paid the county clerk for filing such certificates; making it a misdemeanor not to comply with the provisions of this act, and fixing a penalty for such failure, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Brady:

H. B. No. 252, A bill to be entitled "An Act to amend Article 3905 of the Revised Civil Statutes so as to authorize commissioners courts, at the expense of the county, to furnish county judges, clerks of the county and district courts, sheriffs, county treasurers and justices of the peace in cities containing 25,000 inhabitants and over, office furniture, stationery and office supplies and books and suitable offices, and to authorize commissioners courts at the expense of the county to furnish all other justices of the peace such books and stationery as may be necessary for the performance of their duties."

Referred to Committee on Counties.

By Mr. Malone:

H. B. No. 253, A bill to be entitled "An Act to amend Article 2178, Chapter 24, Title 37, Revised Civil Statutes of the State of Texas, allowing the recovery of attorney's fees by any person in this State having a valid, bona fide claim against any person or corporation doing business in this State, for personal services rendered or for labor done, or for material furnished, or for overcharges on freight or express, or for overcharges on gas supplied and furnished, or for any claim for lost or damaged freight, or for stock killed or injured by such person or corporation,

against agents or employees, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. John E. Davis of Dallas:

H. B. No. 254, A bill to be entitled "An Act to apportion the State of Texas into representative districts, and to fix the number of representatives thereof, and to repeal all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Representative Districts.

By Mr. Melson and Mr. Thomason:

H. B. No. 255, A bill to be entitled "An Act providing for an effective system of public school administration through State, county and district boards and public school officials; defining the powers and duties of each, and defining the districts over which certain boards shall have control; amending Articles 4509, 4510, 4515, 2750, 2755, 2825, 2826, 2767, 2818, and 2821 of the Revised Civil Statutes of 1911; repealing Article 2819 (as amended by Section 1, Chapter 132, Acts of the Thirty-fourth Legislature); repealing Articles 2763 and 2758 (as amended by Chapter 41, Acts of the Fourth Called Session of the Thirty-fifth Legislature, and by Chapter 36, Acts of the Third Called Session of the Thirty-sixth Legislature), and making substitutes therefor; amending Sections 70 and 71, Chapter 124, Acts of the Twenty-ninth Legislature; providing such new sections as are necessary for the purposes of the act; repealing all laws or parts of laws in conflict with the provisions of this act, and declaring an emergency."

Referred to Committee on Education.

By Mr. Rogers, Mr. Cox, Mr. Crumpton, Mr. Harrison, Mr. Owen, Mr. Baldwin, and Mr. Wallace:

H. B. No. 256, A bill to be entitled "An Act regulating and controlling the business or occupation and those engaged in the business, occupation or employment of caring for, dressing, adorning and beautifying the human hair, face, scalp, hands and skin, including barbers and barber shops and beauty shops and those connected therewith, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Bonham:

H. B. No. 257, A bill to be entitled "An Act to repeal Article 3156 of the

Revised Civil Statutes of the State of Texas of 1911, providing an appeal from the judgment of the district court in contests of elections, both primary and general, as to district, county, precinct and municipal offices or nominations therefor."

Referred to Judiciary Committee.

By Mr. Bonham:

H. B. No. 258, A bill to be entitled "An Act to amend Article 1723 of the Revised Civil Statutes of the State of Texas of 1911, permitting election contest cases to be tried at special terms of the district court."

Referred to Judiciary Committee.

By Mr. Bonham:

H. B. No. 259, A bill to be entitled "An Act to amend Article 1720 of the Revised Civil Statutes of the State of Texas of 1911, providing for holding of terms of district court for the purpose of hearing election contests and at such other times as, in the opinion of the judge, may be advisable; providing for jury commissioners and grand and petit juries."

Referred to Judiciary Committee.

By Mr. Fugler:

H. B. No. 260, A bill to be entitled "An Act to amend Section 1, Article 6837, of the Civil Statutes of the State of Texas, Acts of 1905, requiring clerks of district courts to file a lis pendens notice of all suits filed in said courts affecting any and all real estate or other property."

Referred to Judiciary Committee.

By Mr. Fugler:

H. B. No. 261, A bill to be entitled "An Act to amend Article 3739 of the Revised Statutes of the State of Texas, requiring the sheriff to file a statement showing the name of plaintiff and defendant in execution and giving other information regarding all property levied on, in the county clerk's office."

Referred to Judiciary Committee.

By Mr. Bonham:

H. B. No. 262, A bill to be entitled "An Act to amend Article 4632 of the Revised Civil Statutes of the State of Texas of 1911, as providing plaintiff to have been an actual bona fide inhabitant of the State for twelve months and of the county for six months next preceding the filing of suit; providing suit shall not be heard until thirty days after same is filed; providing that a

divorce sought on the ground of cruel treatment shall be deferred one year from date of trial; providing that a man who marries a woman he has seduced shall not be entitled to a divorce for any cause for three years; providing that this act shall not apply where either body is insane, and further providing that where parties have not cohabited for ten years, a divorce may be granted."

Referred to Judiciary Committee.

BILLS ORDERED PRINTED.

On motion of Mr. Henderson of Marion, it was ordered that House bill No. 170, with majority adverse and minority favorable report, be printed.

Mr. Darroch moved that House bill No. 46, with majority adverse and minority favorable report, be printed.

Mr. Owen moved to table the motion to print, and the motion to table was lost.

The motion by Mr. Darroch prevailed.

BILL RE-REFERRED.

On motion of Mr. John Davis of Dallas, House bill No. 234 was withdrawn from the Committee on Criminal Jurisprudence and referred to the Committee on Labor.

BILL ORDERED NOT PRINTED.

On motion of Mr. Pope, it was ordered that Senate bill No. 49 be not printed.

COMMUNICATION FROM COLONEL HENRY WATTERSON.

The Speaker laid before the House, and had read, the following communication:

Galveston, Texas, January 24, 1921.

The Hon. Charles G. Thomas, Speaker of the House of Representatives.

My Dear Sir: I am highly honored by your invitation, and wish that I might accept it. When one has reached and passed the line of four score, however, it would seem that in the matter of public obligation he may fairly plead the statute of limitation. Long ago I found myself compelled to do this, putting ceremonial activities of every sort behind me.

I have known and loved Texas all my life; have had personal intimacy with most of the leaders who created first the Republic and then the State; and it would afford me infinite satisfaction if I were equal to the task of meeting the Legislature of Texas and of fitly recalling them. They were great men.

especially Houston and Rusk, of whom succeeding generations of Texas may well be proud. But I am no wise equal to it.

Take the will for the deed, therefore, and, conveying to the members of the general assembly, individually and collectively, my grateful acknowledgments, believe me,

Sincerely,

HENRY WATTERSON.

RECESS.

On motion of Mr. Crumpton, the House, at 10:30 o'clock a. m., took recess to 2 o'clock p. m. today, in respect to the memory of Hon. W. L. Davidson, Presiding Judge of the Court of Criminal Appeals.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by Speaker Thomas.

RELATING TO AMENDMENTS TO FEDERAL CONSTITUTION.

The Speaker laid before the House for consideration at this time the following resolution by Mr. John Davis of Dallas:

H. C. R. No. 13, Joining the Legislatures of the several States of the Union in an application to Congress to submit a resolution to the several States proposing an amendment to the Constitution of the United States so as to provide that all amendments to the Constitution of the United States shall be submitted to the qualified electors of the several States for ratification or rejection.

Whereas, It is clearly manifest that the sentiment of the people of the United States is in favor of submitting all amendments to the Constitution of the United States to the qualified voters of the several States for ratification or rejection: therefore be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Legislature of the State of Texas hereby memorialize and formally applies to the Congress of the United States, in the manner provided in Article Five of the Constitution, to submit a resolution to the several States proposing an amendment to the Constitution of the United States so as to provide that all amendments to the Constitution of the United States shall be submitted to the qualified electors of the several States for their ratification or rejection: be it further

Resolved, That the State of Texas hereby joins the several States of the Union in making this application to Congress;

Resolved further, That the Secretary of the State of Texas is hereby directed to transmit a certified copy of this resolution to the several States of the Union, to the Congress of the United States, and to the Secretary of the United States.

The resolution was read second time.

Mr. Perkins of Cherokee raised a point of order on consideration of the resolution on the ground that the House has already defeated a resolution containing the same subject matter.

The Speaker overruled the point of order.

Mr. Baldwin moved to refer the resolution to the Committee on Federal Relations.

On motion of Mr. John Davis of Dallas, the motion to refer was tabled.

Question recurring on the resolution, it was adopted.

HOUSE BILL NO. 191 ON SECOND READING.

On motion of Mr. Miller of Dallas, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 191, A bill to be entitled "An Act for the relief of railway corporations having charters amended since the first day of January, 1896, and which have failed to construct any extension, or any part thereof, authorized by said amendment or amendments, within the time required by law, and declaring an emergency."

The Speaker laid the bill before the House. It was read second time and was passed to engrossment.

HOUSE BILL NO. 191 ON THIRD READING.

Mr. Miller of Dallas moved that the constitutional rule requiring bills to be read on the several days be suspended and that House bill No. 191 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111.

Mr. Speaker.	Beasley
Adams.	of Hopkins.
Aiken.	Beasley
Baldwin.	of McCulloch.
Barrett of Bell.	Bonham.
Barrett of Fann n	

Black, O. B.,	Malone.
of Bexar.	Martin.
Black, W. A.,	Marshall.
of Bexar.	Mathes.
Branch.	Melson.
Brown.	Menking.
Bryant.	Merriman.
Burkett.	Miller of Dallas.
Burmeister.	Miller of Parker.
Burns.	Morgan.
Carpenter.	Moore.
Childers.	Morris of Medina.
Cox.	Morris
Crawford.	of Montague.
Crumpton.	Neblett.
Cummins.	Owen.
Curtis.	Patman.
Darroch.	Perkins
Davis, John,	of Cherokee.
of Dallas.	Perkins of Lamar.
Dinkle.	Perry.
Duffey.	Pollard.
Duncan.	Pope.
Edwards.	Quaid.
Faubion.	Quinn.
Fly.	Rice.
Fugler.	Rogers of Shelby.
Greer.	Rosser.
Grissom.	Rountree.
Hall.	Rowland.
Hanna.	Schweppe.
Hardin.	Shearer.
Harrington.	Sims.
Harrison.	Smith.
Henderson	Stephens.
of McLennan.	Stevenson.
Henderson	Stewart
of Marion.	of Edwards.
Hendricks.	Stewart of Reeves.
Hill.	Swann.
Johnson	Sweet of Brown.
of Gillespie.	Sweet of Tarrant.
Johnson of Ellis.	Thomas
Johnson	of Limestone.
of Wichita.	Thomason.
Jones.	Thompson
Kacir.	of Red River.
Kellis.	Thorn.
King.	Thrasher.
Kveton.	Veatch.
Lackey.	Wadley.
Laird.	Walker.
Lauderdale.	Wallace.
Lindsey.	Webb.
Looney.	Wessels.
McDaniel.	West.
McKean.	Westbrook.
McLeod.	Wright.

Absent.

Beavens.	Horton.
Binkley.	Laney.
Brady.	Lawrence.
Davis, John E.,	Leslie.
of Dallas.	McCord.
Estes.	Neinast.
Garrett.	Pool.

Quicksall.
Satterwhite.
Williams
of McLennan.

Absent—Excused.

Baker.
Barker.
Bass.
Chitwood.
Coffee.
McFarlane.
Mott.

Williams
of Montgomery.

Rogers of Harris.
Seagler.
Sneed.
Teer.
Thompson
of Harris.

The Speaker then laid House bill No. 191 before the House on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—104.

Adams.
Aiken.
Baldwin.
Barrett of Fannin.
Beasley
of Hopkins.
Beasley
of McCulloch.
Bonham.
Black, O. B.,
of Bexar.
Black, W. A.,
of Bexar.
Branch.
Brown.
Bryant.
Burkett.
Burmeister.
Burns.
Carpenter.
Childers.
Cox.
Crawford.
Crumpton.
Cummins.
Darroch.
Davis, John E.,
of Dallas.
Davis, John,
of Dallas.
Dinkle.
Duffey.
Duncan.
Faubion.
Fly.
Fugler.
Grissom.
Hall.
Hardin.
Harrington.
Harrison.
Henderson
of McLennan.

Henderson
of Marion.
Hendricks.
Hill.
Horton.
Johnson
of Gillespie.
Johnson of Ellis.
Johnson
of Wichita.
Jones.
Kacir.
Kellis.
King.
Kveton.
Lackey.
Laird.
Lawrence.
McDaniel.
McKean.
McLeod.
Martin.
Marshall.
Melson.
Menking.
Merriman.
Miller of Dallas.
Miller of Parker.
Morgan.
Moore.
Morris of Medina.
Morris
of Montague.
Neblett.
Owen.
Patman.
Perkins
of Cherokee.
Perkins of Lamar.
Pollard.
Pope.
Quaid.
Quinn.

Rice.
Rogers of Shelby.
Rosser.
Rountree.
Rowland.
Satterwhite.
Schweppe.
Shearer.
Sims.
Smith.
Stephens.
Stewart
of Edwards.
Stewart of Reeves.
Swann.
Sweet of Brown.
Sweet of Tarrant.

Thomas
of Limestone.
Thomason.
Thompson
of Red River.
Thorn.
Thrasher.
Veatch.
Wadley.
Walker.
Wallace.
Wessels.
West.
Westbrook.
Williams
of Montgomery.
Wright.

Absent.

Barrett of Bell.
Beavens.
Binkley.
Brady.
Curtis.
Edwards.
Estes.
Garrett.
Greer.
Hanna.
Lauderdale.
Lindsey.

Looney.
Malone.
Mathes.
Neinast.
Perry.
Pool.
Stevenson.
Thompson
of Harris.
Webb.
Williams
of McLennan.

Absent—Excused.

Baker.
Barker.
Bass.
Chitwood.
Coffee.
Laney.
Leslie.
McCord.

McFarlane.
Mott.
Quicksall.
Rogers of Harris.
Seagler.
Sneed.
Teer.

Mr. Miller of Dallas moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

EXTENDING THANKS TO DAUGHTERS OF THE REPUBLIC.

The Speaker laid before the House for consideration at this time the following resolution:

S. C. R. No. 4, Extending thanks to Daughters of the Republic.

Whereas, The Alamo Mission Chapter of the Daughters of the Republic of Texas, the legal custodians of the sacred shrine, the Alamo, have rendered a great and patriotic service to the State of Texas in placing upon the Alamo a new, substantial, permanent, concrete roof in lieu of the old roof, which had rotted away, and was dangerous, unsightly and unsafe; and

Whereas, After securing from the government of Texas permission to erect said roof, they, by their efforts, raised over twelve thousand dollars for this said purpose; and

Whereas, This sacred shrine of Texas liberty, the history of which thrills every Texan and every patriot the world over, has through their efforts thus been preserved: now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the thanks of the State of Texas be extended to this patriotic band of women, with the assurance that their patriotism and unselfishness is deeply appreciated, and that the State of Texas rejoices that their noble efforts have been crowned with success, and acknowledges a deep debt of gratitude to them.

The resolution was read second time and was adopted.

INVITING DR. R. E. VINSON TO ADDRESS THE LEGISLATURE.

The Speaker laid before the House for consideration at this time the following resolution:

S. C. R. No. 5, Inviting Hon. Robert E. Vinson to address the Legislature.

Whereas, A bill has been introduced in the Senate of Texas providing for the removal of the University of Texas from its present site to a site on the Colorado river in the city of Austin; and

Whereas, Said removal was originally advocated by Dr. Robert E. Vinson, president of the University of Texas, who has given the matter great thought and consideration; and

Whereas, It is a vital matter to this great institution and one to be approached with a great deal of care, and a question upon which the members of both houses of the Legislature should have the fullest information: now, therefore, be it

Resolved, That Dr. Robert E. Vinson be invited to address a joint session of the Legislature in the Hall of the House of Representatives on Tuesday evening, February 1, at 8 o'clock.

The resolution was read second time and was adopted.

TO POST COMMITTEE MEETINGS.

Mr. Johnson of Wichita offered the following resolution:

Whereas, During sessions of the several committees great confusion is caused by the lack of definite information as to the particular room in which certain committees are in session; and

Whereas, The committee members are constantly interrupted and greatly annoyed and disturbed by people seeking to locate certain committees: therefore, be it

Resolved by the House of Representatives of the Thirty-seventh Legislature, That the chairman of the Committee on Contingent Expenses be and is hereby instructed to have prepared immediately suitable signs, one for each standing committee, the same to bear the following wording: "(Name of Committee) is now in session in this room," and that during all sessions of all committees that suitable signs giving notice that such committee is in session be displayed outside the door, and that the expense of preparing such signs and the procuring of such easels be paid out of the contingent expense fund of the House.

The resolution was read second time and was adopted.

SENATE BILL NO. 49 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 49, A bill to be entitled "An Act amending Chapter 48, Section 2, pages 90-91, of the laws passed at the Regular Session of the Thirty-fourth Legislature of the State of Texas by changing the time and terms of holding court in the Seventy-ninth Judicial District so that Section 2 shall hereafter read as follows, and declaring an emergency."

The bill was read second time.

Mr. Pope offered the following amendment to the bill:

Amend Senate bill No. 49 by striking out all after the enacting clause, and insert the following:

Section 1. The Seventy-ninth Judicial District of Texas shall be composed of the counties of Starr, Hidalgo, Brooks, Jim Hogg, Duval and Jim Wells, and the terms of court of the district shall be held therein each year as follows:

In the county of Starr on the second Monday in February of each year, and may continue in session two weeks; on the first Monday in September of each year, and may continue in session two weeks.

In the county of Hidalgo on the second Monday after the second Monday in February of each year, and may continue in session nine weeks; on the second Monday after the first Monday in

September of each year, and may continue in session nine weeks.

In the county of Brooks on the eleventh Monday after the second Monday in February of each year, and may continue in session two weeks; on the eleventh Monday after the first Monday in September of each year, and may continue in session two weeks.

In the county of Jim Hogg on the thirteenth Monday after the second Monday in February of each year, and may continue in session two weeks; on the thirteenth Monday after the first Monday in September of each year, and may continue in session two weeks.

In the county of Duval on the fifteenth Monday after the second Monday in February of each year, and may continue in session two weeks; on the first Monday in January of each year, and may continue in session two weeks.

In the county of Jim Wells on the seventeenth Monday after the second Monday in February of each year, and may continue in session four weeks; on the second Monday after the first Monday in January of each year, and may continue in session to and including the Saturday preceding the second Monday in February of each year.

That all processes, writs and bonds issued, served or executed prior to the taking effect of this act and returnable to the terms of said court in each of said counties, comprising said judicial district, and all process heretofore returnable, as well as all bonds and recognizances heretofore entered into, in any of said counties, shall be as valid and binding as if no change had been made by this act in the times of having said terms of court.

Section 2. That all process issued or served before this act goes into effect, including recognizances and bonds, returnable to the district court of any of said counties, shall be considered as returnable to said courts, in accordance with the terms as prescribed by this act, and all such process is hereby legalized and all grand and petit juries drawn and selected under existing laws in any of the counties in said judicial district shall be considered lawfully drawn and selected for the next term of the district court for their respective counties held in accordance with this act; provided, that if any court in any county of said judicial district shall be in session at the time this act takes effect, said court shall continue in session until the term thereof shall expire under the provisions of the existing laws.

Thereafter the courts of said counties shall conform to the requirements of this act.

Section 3. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Section 4. The rapid settlement of the county of Hidalgo mentioned in this act and the crowded condition of the docket of the district court of Hidalgo county, Texas, in said judicial district, and the great number of cases filed in said court subsequent to the adjournment of the last term of said court, and a want of time for disposing of the business now on the docket of the district court of Hidalgo county, Texas, creates an imperative public necessity and an emergency requiring the suspension of the constitutional rule requiring bills to be read on three several days in each house and said rule is now hereby suspended and this act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

Senate bill No. 49 was then passed to third reading.

SENATE BILL NO. 53 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 53, A bill to be entitled "An Act to amend Chapter 49, Acts of the Thirty-second Legislature, Forty-fifth, Forty-seventh and Seventy-third Judicial Districts, and constituting Bexar county, the Thirty-seventh, Forty-fifth, Fifty-seventh and Seventy-third Judicial Districts; providing for the present judges of the Thirty-seventh, Forty-fifth, Fifty-seventh and Seventy-third Judicial Districts to continue to hold their offices for the respective terms for which they were elected; prescribing the jurisdiction of said courts and providing for the election of judges thereof, and for the district attorney of the Thirty-seventh Judicial District, and the other district courts of said district, and prescribing his duties; prescribing how cases shall be numbered and filed in the several courts; providing the district court of the Thirty-seventh Judicial District of Bexar county, Texas, and the district court of the Forty-fifth Judicial District of Bexar county, Texas, to try criminal cases and give precedence to criminal business over civil business until the number of criminal cases in each court

is reduced to fifty cases, and requiring said courts to give their entire time to trying of criminal cases until the number of criminal cases in each court is reduced to fifty or less, and requiring each court to alternately empanel a grand jury, and requiring the district court of the Thirty-seventh Judicial District to transfer one-half of the cases on its docket to the district court of the Forty-fifth Judicial District, leaving the oldest case in point of date of filing in the district court of the Thirty-seventh Judicial District, and transferring the second case to the district court of the Forty-fifth Judicial District, leaving the third case in the district court of the Thirty-seventh Judicial District, and transferring the fourth case to the district court of the Forty-fifth Judicial District, and thus in transferring each alternate case until one-half of the entire number in the district court of the Thirty-seventh Judicial District is transferred to the district court of the Forty-fifth Judicial District, and providing that the terms of the said courts be concurrent, that is, commencing and ending at the same time, and requiring that forfeited bond cases be tried by the district courts of the Thirty-seventh Judicial District and the Forty-fifth Judicial District of Bexar county, Texas, that the district clerk make up a docket for the criminal cases transferred to the Forty-fifth Judicial District, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and passed to third reading.

SENATE BILL NO. 53 ON THIRD READING.

Mr. O. B. Black of Bexar moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 53 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Adams.	Branch.
Aiken.	Brown.
Baldwin.	Bryant.
Barrett of Fannin.	Burkett.
Beasley	Burmeister.
of McCulloch.	Burns.
Bonham.	Carpenter.
Black, O. B.,	Cox.
of Bexar.	Crawford.
Black, W. A.,	Crumpton.
of Bexar.	Cummins.

Darroch.	Miller of Parker.
Davis, John E.,	Morgan.
of Dallas.	Moore.
Davis, John,	Morris of Medina.
of Dallas.	Morris
Dinkle.	of Montague.
Duffey.	Neblett.
Duncan.	Owen.
Faubion.	Patman.
Fly.	Perkins of Lamar.
Fugler.	Perry.
Grissom.	Pollard.
Hall.	Pope.
Hanna.	Quaid.
Hardin.	Quinn.
Harrington.	Rice.
Harrison.	Rogers of Shelby.
Henderson	Rosser.
of McLennan.	Rountree.
Henderson	Satterwhite.
of Marion.	Schwappe.
Hendricks.	Shearer.
Hill.	Sims.
Horton.	Smith.
Johnson	Stephens.
of Gillespie.	Stewart
Johnson of Ellis.	of Edwards.
Johnson	Stewart of Reeves.
of Wichita.	Swann.
Jones.	Sweet of Brown.
Kacir.	Sweet of Tarrant.
Kellis.	Thomas
King.	of Limestone.
Kveton.	Thomason.
Lackey.	Thompson
Laird.	of Red River.
Lawrence.	Thorn.
McDaniel.	Thrasher.
McKean.	Veatch.
McLeod.	Wadley.
Malone.	Walker.
Martin.	Wallace.
Marshall.	Wessels.
Mathes.	West.
Melson.	Williams
Menking.	of Montgomery.
Merriman.	Wright.
Miller of Dallas.	

Absent.

Barrett of Bell.	Lindsey.
Beasley	Looney.
of Hopkins.	Neinast.
Beavens.	Perkins
Binkley.	of Cherokee.
Brady.	Pool.
Childers.	Rowland.
Curtis.	Stevenson.
Edwards.	Webb.
Estes.	Westbrook.
Garrett.	Williams
Greer.	of McLennan.
Lauderdale.	

Absent—Excused.

Baker.	Bass.
Barker.	Chitwood.

Coffee.
Laney.
Leslie.
McCord.
McFarlane.
Mott.
Quicksall.

Rogers of Harris.
Seagler.
Sneed.
Teer.
Thompson
of Harris.

Thomason.
Thompson
of Red River.
Thorn.
Thrasher.
Veatch.
Wadley.

Walker.
Wallace.
Wessels.
West.
Williams
of Montgomery.
Wright.

The Speaker then laid Senate bill No. 53 before the House on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—101.

Adams.	King.
Aiken.	Kveton.
Baldwin.	Lackey.
Barrett of Fannin.	Laird.
Beasley	Lawrence.
of McCulloch.	McDaniel.
Bonham.	McKean.
Black, O. B.,	McLeod.
of Bexar.	Malone.
Branch.	Martin.
Brown.	Marshall.
Bryant.	Mathes.
Burkett.	Melson.
Burmeister.	Menking.
Burns.	Merriman.
Carpenter.	Miller of Dallas.
Cox.	Miller of Parker.
Crawford.	Morgan.
Crumpton.	Moore.
Cummins.	Morris of Medina.
Darroch.	Morris
Davis, John E.,	of Montague.
of Dallas.	Neblett.
Davis, John,	Owen.
of Dallas.	Patman.
Dinkle.	Perkins
Duffey.	of Cherokee.
Duncan.	Perkins of Lamar.
Faubion.	Perry.
Fly.	Pollard.
Fugler.	Pope.
Grissom.	Quaid.
Hall.	Quinn.
Hanna.	Rice.
Hardin.	Rogers of Shelby.
Harrington.	Rosser.
Harrison.	Rountree.
Henderson	Satterwhite.
of McLennan.	Schweppe.
Hendricks.	Shearer.
Hill.	Sims.
Horton.	Smith.
Johnson	Stephens.
of Gillespie.	Stewart
Johnson of Ellis.	of Edwards.
Johnson	Stewart of Reeves.
of Wichita.	Swann.
Jones.	Sweet of Tarrant.
Kacir.	Thomas
Kellis.	of Limestone.

Absent.

Barrett of Bell.	Lauderdale.
Beasley	Leslie.
of Hopkins.	Lindsey.
Beavens.	Looney.
Binkley.	McCord.
Black, W. A.,	Neinast.
of Bexar.	Pool.
Brady.	Quicksall.
Childers.	Rogers of Harris.
Curtis.	Rowland.
Edwards.	Stevenson.
Estes.	Sweet of Brown.
Garrett.	Webb.
Greer.	Westbrook.
Henderson	Williams
of Marion.	of McLennan.
Laney.	

Absent—Excused.

Baker.	Mott.
Barker.	Seagler.
Bass.	Sneed.
Chitwood.	Teer.
Coffee.	Thompson
McFarlane.	of Harris.

Mr. West moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 136 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 136, A bill to be entitled "An Act making appropriation to pay salaries of judges and the support of the judicial department of the State government for the two years beginning September 1, 1921, and ending August 31, 1923, and declaring an emergency."

The bill was read second time.

Mr. Satterwhite offered the following (committee) amendment to the bill:

Amend House bill No. 136 by striking out the figures \$720.00 for salary of porter, wherever they appear, and insert in lieu thereof \$600.00.

The committee amendment was adopted.

House bill No. 136 was then passed to engrossment.

HOUSE JOINT RESOLUTION NO. 11 ON SECOND READING.

The Speaker laid before the House, on its second reading,

H. J. R. No. 11, Proposing an amendment to Section 51 of Article 3 of the Constitution of the State of Texas to provide that the Legislature may grant pensions to Confederate soldiers, sailors and their widows, who have been citizens of Texas prior to January 1, 1910; providing that all soldiers, sailors and their widows eligible under the provisions hereof shall be entitled to be placed upon the rolls and participate in the pension fund created hereunder; levying a tax of seven (7c) cents on the \$100 valuation of property in this State for the payment of such pension; providing that the Legislature may reduce the rate of pension for such purpose; fixing a time for the election to be held on such amendment, and making an appropriation to pay the expenses thereof.

The resolution was read second time.

Mr. Marshall offered the following (committee) amendment to the resolution:

Amend Section 2, H. J. R. No. 11, by striking out July 9, 1921, and insert in lieu thereof the figures and date August 27, 1921.

The (committee) amendment was adopted.

House Joint Resolution No. 11 was then passed to engrossment.

HOUSE JOINT RESOLUTION NO. 12 ON SECOND READING.

The Speaker laid before the House, on its second reading,

H. J. R. No. 12, Proposing an amendment to Section 13, Article 8, of the Constitution of the State of Texas, providing for sale and conveyance of property for taxes due thereon, and for the redemption by the former owner of land, within two years from the date of purchaser's deed.

The resolution was read second time and was passed to engrossment.

HOUSE BILL NO. 12 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 12, A bill to be entitled "An Act to amend Chapter 8, Title 71, of the Revised Civil Statutes, providing for the incorporation, organization, regulation and supervision of mutual life

insurance companies in this State, and providing penalties for the violation of this act."

The bill was read second time.

Mr. John Davis of Dallas offered the following (committee) amendment to the bill:

Amend H. B. No. 12 by striking out all after the enacting clause, and insert in lieu thereof the following:

That Chapter 6, Title 71, of the Revised Civil Statutes of the State of Texas, be, and the same is hereby, amended and re-enacted, so that the several articles of the said chapter and title shall hereafter read as follows:

Article 4809. Nine or more persons, residents of the State of Texas, may form a mutual life insurance company for the purpose of insuring the lives of individuals on the mutual, level premium, legal reserve plan, subject to the conditions and limitations prescribed in this chapter, by executing and acknowledging before some officer authorized to take acknowledgments to conveyances of real estate, articles of incorporation for that purpose. Such articles shall set forth:

1. The name and residence of each of the incorporators.

2. The name of the proposed company, which shall contain the words, "Mutual Life Insurance Company," as a part thereof, and which shall not be so similar to that of any other life insurance company or association now authorized to transact business in this State as to mislead the public.

3. The location of the principal office from which the business of the company is to be transacted.

4. The number of directors and the name and place of residence of each of those who are to serve until the first regular election of directors, as provided by this chapter.

Such articles of incorporation shall be filed with the Commissioner of Insurance and Banking, who shall immediately submit them to the Attorney General for his examination and approval as complying in all respects with the law. If the Attorney General approve them, he shall so certify thereon in writing, and return them to the Commissioner of Insurance and Banking, who shall file the same in his office and issue to the company a certificate of authority, to which shall be attached a certified copy of the articles of incorporation, authorizing it to receive applications for insurance as provided in this chapter, and to collect premiums there-

on, and to issue receipts therefor; which certificate shall expressly state that such company is not authorized to issue policies of insurance or transact any business other than that specifically authorized therein until it has received bona fide applications for insurance on the lives of at least two hundred individuals for not less than five hundred dollars each, aggregating at least two hundred thousand dollars of insurance, on which the aggregate net premiums shall be at least equal to the largest net risk assumed on any one life, which applications have been approved by a competent physician; and on which the first annual premiums at adequate rates have been paid to the company, nor until these facts shall have been fully shown to the Commissioner of Insurance and Banking, and he shall have issued to the company a certificate of authority to transact business as a mutual life insurance company. If this showing is not made within six months after the date upon which such articles of incorporation are filed with the Commissioner of Insurance and Banking, it shall be his duty to cancel the certificate of authority of such company to receive applications for insurance, and to notify each incorporator of such action. When the Commissioner of Insurance and Banking shall be notified that any such company has complied with all the foregoing provisions of this article, he shall make, or cause to be made, at the expense of such company, an examination thereof; and, if he shall find that the law has been in all respects fully complied with, it shall be his duty to issue to it a certificate of authority to transact the business of a mutual life insurance company, in accordance with the terms of this chapter.

Article 4810. The business of a mutual life insurance company shall be controlled and directed by a board of directors consisting of not less than five nor more than twenty-five members, who shall be elected annually as provided in this chapter, those to serve until the first annual election to be named in the charter, and who shall hold office until their successors shall be elected and qualified, or until they shall be removed for improper practices. Such board of directors shall elect the officers of the company, which shall be a president, and such number of vice-presidents as the by-laws may provide; a secretary, a treasurer, a medical director and such other officers as the by-laws may provide for, and shall fix the compensation of all such officers.

The duties of all officers shall be prescribed by the by-laws. The by-laws governing the company until the date of its first annual meeting, as provided by this chapter, shall be adopted by the board of directors at their first meeting after the certificate of authority shall be issued authorizing the company to transact the business of a mutual life insurance company. There shall be an annual meeting of all the policyholders of each mutual life insurance company at the home office of such company, or at such other place as may be properly announced to the policyholders, on the second Tuesday in March after it shall have received a certificate of authority, to transact the business of life insurance, and annually thereafter, at which the directors shall be elected for the succeeding year, and at which by-laws for the government of the company, not inconsistent with the provisions of this chapter or with the laws of this State may be adopted, and at which the existing by-laws may be repealed or amended. At such annual meeting, every policyholder shall be entitled to one vote for each five hundred dollars of insurance held by him; and any policyholder may execute his proxy authorizing and entitling the holder to exercise his voting powers, unless such proxy shall be revoked previous to such annual meeting. The president, secretary and treasurer shall each give a bond for the protection of the policyholders in amount and with securities to be approved by the Commissioner of Insurance and Banking, conditioned for the faithful performance of their respective duties.

Article 4811. Mutual life insurance companies shall invest their funds in accordance with the provisions of Articles 4734 and 4735, Chapter 2, of this title, concerning investments of life insurance companies in this State; all moneys of mutual life insurance companies, coming into the hands of any officer or officers thereof, when not invested as prescribed in the above named articles, shall be deposited in the name of such company or companies in some bank or banks which are subject to either State or national regulation and supervision, and which have been approved by the Commissioner of Insurance and Banking as depositories therefor. Any officer or director of any such company who shall knowingly and willfully violate or assent to the violation of the provisions of this section shall be deemed guilty of a felony, and upon conviction thereof shall be punished by

imprisonment in the penitentiary for a term of not less than one nor more than five years.

Article 4812. No mutual life insurance company shall have the power except as provided in this chapter, to borrow money for any purpose other than the payment of death losses. No such company shall have the power to incur any debt on any account except under policies issued by it or for money borrowed to pay death losses, for which any portion of its assets over and above that which may represent or be derived from the expense loading of the premiums collected by it, shall in any event be subject to execution upon a judgment therefor.

Article 4813. The Commissioner of Insurance and Banking shall annually make valuations of all outstanding policies of mutual life insurance companies as of December 31st, of each year, in accordance with the one year preliminary term method based upon the American experience table of mortality and three and one-half per cent interest per annum, assuming an average risk exposure of six months on all new policies issued within each calendar year.

Article 4814. The net premiums upon all policies issued by any such company shall be computed in accordance with the provisions of Article 4813, this chapter and title, the net premium on all new policies issued to be obtained by deducting from the total premium paid the amount of the preliminary term premium as above provided and allowing the remainder of the first annual premium as expense loading; no portion of such net premium collected upon any such policy shall ever be used or applied for the payment of any expenses of the company of any kind or character, or for any other purpose than the payment of death losses, surrender values, or lawful dividends to policyholders, loans on policies, or for the purposes of such investments of the company as are prescribed in the laws of this State.

Article 4815. Every mutual life insurance company may maintain and set aside, before declaring any dividends to policyholders, in addition to an amount equal to the net value of all its policies, computed as required by this chapter, a contingency reserve not exceeding the following respective percentages of said net values, to-wit: When said net values are less than one hundred thousand dollars, twenty per centum thereof, or the sum of ten thousand dollars,

whichever is the greater; the percentage thereof measuring the contingency reserve shall decrease one-half of one per cent for each one hundred thousand dollars of said net values up to one million dollars, and thereafter, one-half of one per cent for each additional one million dollars of said net values; provided, that as the said net values of said policies increase, and as the maximum percentage measuring the contingency reserve decrease, such company may maintain the contingency reserve already accumulated hereunder, although for the time being it may exceed the maximum percentage herein prescribed, but may not add to the contingency reserve when the addition will bring it beyond the maximum percentage.

Article 4816. Every mutual life insurance company organized under this chapter shall make an annual accounting and apportionment of divisible surplus to each policyholder, beginning not later than the end of the second policy year on all policies issued; and each such policyholder shall be entitled to and credited with or paid, such a portion of the entire divisible surplus as has been contributed thereto by his policy. Upon the thirty-first day of December of each year, or as soon thereafter as may be practicable, every such company shall well and truly ascertain the surplus earned by it during such year and, after setting aside from such surplus the contingency reserve provided in this chapter, it shall apportion to each of its policies upon which all premiums due and payable for at least one year have been paid, the proportion of the remainder of such surplus which has been contributed by each such policy, and shall immediately submit a detailed report of such apportionment under the oath of its president or secretary to the Commissioner of Insurance and Banking. If such Commissioner shall find such apportionment to be equitable and just to the policyholders and to be in accordance with the provisions of this chapter, he shall approve the same, and it shall become effective; and, if he shall not approve such apportionment, he shall make such changes therein as he shall deem equitable and just and necessary to make the same comply with the provisions of this chapter; and shall certify such changes to such company, whereupon such apportionment as changed by the Commissioner shall become effective. Each dividend declared as aforesaid shall be paid in cash, or in the equivalent of its

cash value in any option stated in the policy and selected by the policyholder, notice of which selection by the policyholder shall be given to the company in writing.

Article 4817. Mutual life insurance companies are authorized to transact business throughout the State of Texas, and in other States to which they may be admitted they shall issue no policies except upon the participating plan with dividends payable annually as elsewhere provided in this chapter; the forms of all policies issued by any such company shall be approved by the Commissioner of Insurance and Banking, and all such policies shall have plainly printed on both the face and the reverse sides thereof the words, "The form of this policy is approved by the Commissioner of Insurance and Banking of the State of Texas"; and it shall be the duty of the Commissioner to revoke the certificate of authority of any company which shall issue any policy except upon such form so approved. No such company shall issue any policy or policies by which, after deducting reinsurance, if any, it shall be bound for more than five thousand dollars upon any one life at any time when the total amount of its insurance in force is less than ten million dollars.

Article 4818. No mutual life insurance company shall enter into any contract of insurance amounting to \$500.00 or more, upon the life of any person, without having previously made a medical examination, prescribed by its medical director and approved by its board of directors, of the insured, by a duly qualified and licensed practitioner, and without his certificate that the insured was in sound health at the date of examination. Any officer or agent or employee of such company violating the provisions of this section or effecting or attempting to effect a contract of insurance contrary to the provisions hereof shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than one hundred nor more than five hundred dollars or by imprisonment in the county jail for not less than six months or by both such fine and imprisonment.

Article 4819. The policies issued by a mutual life insurance company shall provide, in the event that premiums are payable other than annually, that no deduction shall be made from the amount due on any policy in the event that the death of the policyholder shall

occur prior to the date of any premium less than annual.

Article 4820. Each policy issued by a mutual life insurance company shall contain a table of guaranteed values, which shall become non-forfeitable not later than upon the payment of the third full annual premium; such table of values shall be drawn in accordance with the provisions of Article 4741, Chapter 2, of this Title.

Article 4821. Mutual life insurance companies organized under the provisions of this chapter shall file their annual statements with the Commissioner of Insurance and Banking, and receive from him their certificates of authority to transact the business of life insurance, in accordance with the provisions of Articles 4729 and 4730, Chapter 2, of this Title.

Article 4822. Any mutual life insurance company organized under the provisions of this chapter, having received authority from the Commissioner of Insurance and Banking to transact business in this State, shall receive from such Commissioner, upon written request therefor, a certificate of authority for each of its agents in this State. Contracts between such companies and such agents shall not provide for commissions or other compensation to such agents in excess of the expense loading in the premiums of policies issued upon the applications procured by such agents, collected therefor, and paid to the company in cash.

Article 4823. It shall be the duty of the Commissioner of Insurance and Banking to have made, once in each calendar year, a thorough and full examination of the affairs of each mutual life insurance company, the report of which examination shall be made to such Commissioner under oath; and it shall be the duty of the Commissioner of Insurance and Banking, if he shall approve the report of such examination, to furnish the company with certificate of approval: The expense of each such examination shall be borne by the company examined.

Article 4824. Any officer, director, or policyholder of a mutual life insurance company, or any other person, may advance to such company any sum or sums of money for the purpose of promoting or conserving its business, or to enable it to comply with any requirements of the law; and such money, together with such interest thereon as may have been agreed upon, not exceeding ten

per cent per annum, shall be payable only out of the surplus remaining after providing for all reserves and other liabilities, and shall not otherwise be a liability or claim against the company or any of its assets. No commission or promotion expenses shall be paid in connection with the advance of any such money to the company, and the amount of such advance shall be reported in each annual statement as provided in Article 4821, this chapter and title. At any time when the liabilities of any such company, computing its reserve liability upon the American experience table of mortality and three and one-half per cent per annum interest, shall be in excess of its assets, the company shall cease the issuance of new policies until the impairment in its reserves shall be made good. Whenever the liabilities of any such company, computing its reserve liability upon the American experience table of mortality and four and one-half per cent interest per annum, exceed its assets, the Commissioner of Insurance and Banking may request the Attorney General to file suit in the name of the State in the district court of the county in which such company is located for the appointment of a receiver to terminate and liquidate the affairs of the company, and such action may be maintained. In any such action, such district court, or judge thereof, in vacation, shall have the power, if in his opinion the interests of the policyholders of the company require it, to enter an order for the re-insurance of all outstanding risks of such company in some other life insurance company authorized to do business in this State upon such terms and conditions as may be approved by the Commissioner of Insurance and Banking, and by such court, or the judge thereof, in vacation; and such court or judge may for that purpose direct the conveyance of the entire assets of any such company, or any portion thereof, to such re-insuring company in consideration of such re-insurance.

Article 4825. For the purposes of State, county and city taxation, the amount of the reserve and contingency reserve of all mutual life insurance companies shall be treated as debts due by them to their policyholders; and the total value of their property for such purposes shall be ascertained by deducting from the total amount of their gross assets the amount of such reserves and contingency reserves.

Article 4826. The provisions of Ar-

ticles 4724 to 4774, inclusive, in Chapter 2 of this title, when not in conflict with the several articles of this chapter, shall likewise apply to and govern mutual life insurance companies organized under the provisions of this chapter. All laws and parts of laws in conflict with this act are hereby repealed; provided, that such repeals and the provisions of this act shall not apply to or affect any company or association now organized and doing business under the laws of this State.

The (committee) amendment was adopted.

House bill No. 12 was then passed to engrossment.

HOUSE BILL NO. 24 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 24, A bill to be entitled "An Act to provide for the organization or admission and regulation of incorporated insurance companies other than life."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 30 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 30, A bill to be entitled "An Act to encourage and assist in the building of homes and of removing encumbrances therefrom; to broaden the corporate powers of certain corporations; to permit the purchase of notes, bills or other evidences of debt at a greater or less sum than the face or par value thereof; to authorize the making of loans upon the amortization basis, repayable in installments; to authorize the lending of money on real and personal security, and to authorize the purchase and sale of notes, bonds and securities, limiting such powers to corporations having a capital stock of one hundred thousand (\$100,000) dollars or more, and giving such privileges to corporations having their domicile in cities of one hundred thousand or more population, and declaring an emergency."

The bill was read second time.

Mr. West offered the following (committee) amendment to the bill:

Amend Section 1 by striking out the following: "Corporations chartered by the State of Texas prior to the second

day of February, A. D. 1900," and insert in lieu thereof the following: "All corporations chartered under the provisions of subdivision 37, Article 1120, Chapter 2, Revised Civil Statutes of the State of Texas, 1911."

The (committee) amendment was adopted.

Mr. Quaid offered the following amendment to the bill:

Amend caption of House bill No. 30, lines 17 and 18, to read "corporations having their domicile in cities of ten thousand or more of population, and declaring an emergency," and line 22 of bill to conform thereto, to read: "having a population of ten thousand or more."

Signed—Quaid, Jones and West.

The amendment was adopted.

House bill No. 30 was then passed to engrossment.

HOUSE BILL NO. 31 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 31, A bill to be entitled "An Act making it a misdemeanor for any person to ask, solicit, demand, charge or receive, directly or indirectly, from any other person, corporate or otherwise, any money, reward, favor, benefit, or other thing of value, or the promise of either as a consideration or inducement for procuring or effecting, or with the view, purpose or intent that such person may, can, or will, or may, can or will seek or undertake to, procure or effect any preference in the receipt, carriage, transportation, movement, placing, storing, handling, caring for or delivery of any freight, commodity, or article, or any railroad car or cars, by any common carrier, in State, or by any agent or employee of such common carrier, and prescribing a penalty therefor; defining the word 'preference' as used in this act, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 31 ON THIRD READING.

Mr. Pollard moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 31 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	McDaniel.
Adams.	McKean.
Aiken.	McLeod.
Baldwin.	Malone.
Barrett of Bell.	Martin.
Barrett of Fannin.	Marshall.
Beasley	Mathes.
of Hopkins.	Melson.
Black, O. B.,	Menking.
of Bexar.	Merriman.
Black, W. A.,	Miller of Dallas.
of Bexar.	Miller of Parker.
Bonham.	Morgan.
Branch.	Moore.
Brown.	Morris of Medina.
Burkett.	Morris
Burns.	of Montague.
Carpenter.	Owen.
Childers.	Patman.
Cox.	Perkins
Crawford.	of Cherokee.
Crumpton.	Perkins of Lamar.
Cummins.	Perry.
Curtis.	Pollard.
Darroch.	Pool.
Davis, John E.,	Pope.
of Dallas.	Quaid.
Davis, John,	Quinn.
of Dallas.	Rice.
Dinkle.	Rogers of Shelby.
Duffey.	Rosser.
Faubion.	Rountree.
Fly.	Rowland.
Fugler.	Satterwhite.
Garrett.	Schweppe.
Greer.	Shearer.
Grissom.	Smith.
Hall.	Stephens.
Hanna.	Stevenson.
Harrison.	Swann.
Henderson	Sweet of Tarrant.
of McLennan.	Thomas
Henderson	of Limestone.
of Marion.	Thomason.
Hendricks.	Thompson
Hill.	of Red River.
Horton.	Thorn.
Johnson	Thrasher.
of Gillespie.	Veatch.
Johnson of Ellis.	Wadley.
Johnson	Walker.
of Wichita.	Wallace.
Jones.	Wessels.
Kacir.	West.
Laird	Westbrook.
Lauderdale.	Williams
Lawrence.	of Montgomery.
Lindsey.	Wright.
Looney.	

Absent.

Beasley	Bryant.
of McCulloch.	Burmeister.
Beavens.	Duncan.
Binkley.	Edwards.
Brady.	Estes.

Hardin.	Sims.
Harrington.	Stewart
Kellis.	of Edwards.
King.	Stewart of Reeves.
Kveton.	Sweet of Brown.
Lackey.	Webb.
Neblett.	Williams
Neinast.	of McLennan.

Absent—Excused.

Baker.	Mott.
Barker.	Quicksall.
Bass.	Rogers of Harris.
Chitwood.	Seagler.
Coffee.	Sneed.
Laney.	Teer.
Leslie.	Thompson
McCord.	of Harris
McFarlane.	

The Speaker then laid House bill No. 31 before the House on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—95.

Mr. Speaker.	Henderson
Adams.	of McLennan.
Aiken.	Henderson
Baldwin.	of Marion.
Barrett of Bell.	Hendricks.
Barrett of Fannin.	Hill.
Beasley	Horton.
of Hopkins.	Johnson
Black, O. B.,	of Gillespie.
of Bexar.	Johnson
Black, W. A.,	of Wichita.
of Bexar.	Jones.
Bonham.	Kacir.
Branch.	Kveton.
Brown.	Laird.
Burkett.	Lauderdale.
Burns.	Lawrence.
Carpenter.	Lindsey.
Cox.	McDaniel.
Crawford.	McKean.
Crumpton.	McLeod.
Cummins.	Marshall.
Darroch.	Mathes.
Davis, John E.,	Melson.
of Dallas.	Menking.
Davis, John,	Merriman.
of Dallas.	Miller of Dallas.
Dinkle.	Miller of Parker.
Duffey.	Morgan.
Faubion.	Moore.
Fly.	Morris of Medina.
Fugler.	Morris
Grissom.	of Montague.
Hall.	Owen.
Hanna.	Patman.
Harrington.	Perkins
Harrison.	of Cherokee.

Perkins of Lamar.	Sweet of Tarrant.
Perry.	Thomas
Pollard.	of Limestone.
Pool.	Thomason.
Pope.	Thompson
Quaid.	of Red River.
Quinn.	Thorn.
Rice.	Thrasher.
Rogers of Shelby.	Veatch.
Rosser.	Wadley.
Rountree.	Walker.
Rowland.	Wallace.
Satterwhite.	Wessels.
Schweppe.	West.
Shearer.	Williams
Smith.	of Montgomery.
Stephens.	Wright.
Swann.	

Absent.

Beasley	King.
of McCulloch.	Lackey.
Beavens.	Looney.
Binkley.	Malone.
Brady.	Martin.
Bryant.	Neblett.
Burmeister.	Neinast.
Childers.	Sims.
Coffee.	Stevenson.
Curtis.	Stewart
Duncan.	of Edwards.
Edwards.	Stewart of Reeves.
Estes.	Sweet of Brown.
Garrett.	Webb.
Greer.	Westbrook.
Hardin.	Williams
Johnson of Ellis.	of McLennan.
Kellis.	

Absent—Excused.

Baker.	Mott.
Barker.	Quicksall.
Bass.	Rogers of Harris.
Chitwood.	Seagler.
Laney.	Sneed.
Leslie.	Teer.
McCord.	Thompson
McFarlane.	of Harris.

HOUSE BILL NO. 32 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 32, A bill to be entitled "An Act to authorize the creation of international trading corporations in this State under the general corporation laws of this State, which will authorize such corporations to engage in business of international trading, trading the products of the farm, ranch, orchard, mine and forest, and engage in the sale of same to foreign countries, and permitting the residents of foreign countries to take stock in such corporations,

and permitting such corporations to take in payment for capital stock property at an appraised value, to be determined upon by a board of appraisers selected by the Secretary of State of the State of Texas, who are familiar with the value of such properties; providing that the control of said corporation shall never be surrendered to any country save and except the United States of America and that a majority of said stock shall always be owned by citizens of Texas and the United States and that a majority of the directors shall be citizens of Texas; providing a penalty for vesting more than a majority of stock in a foreign country, and declaring an emergency."

The bill was read second time.

Mr. Wright offered the following amendment to the bill:

Amend House bill No. 32, Section 3, line 22. by striking out the words "pledges or mortgages" and insert in lieu thereof the words "pledgees or mortgagees."

The amendment was adopted.

House bill No. 32 was then passed to engrossment.

ADJOURNMENT.

On motion of Mr. Henderson of McLennan, the House, at 4 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees reported bills favorably today, as follows:

Revenue and Taxation: House bill No. 187.

Liquor Traffic: House bill No. 129.

Public Lands and Buildings: House bill No. 126.

Labor: House bill No. 176.

Judiciary: House bills Nos. 204, 103; Senate bill No. 65.

Counties: House bills Nos. 123 and 168.

Game and Fisheries: House bill No. 151.

Criminal Jurisprudence: House bills Nos. 206, 195 and 102.

The following standing committees reported bills adversely today, as follows:

Judiciary: House bills Nos. 162 and 101.

Counties: House bills Nos. 100, 55, 16 and 138.

Conservation and Reclamation: House bill No. 15.

Criminal Jurisprudence: House bills Nos. 47 and 76.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, January 26, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 156, A bill to be entitled "An Act to postpone the publication of delinquent lists of State, county, special school, district school and levee improvement taxes by county commissioners court and county tax collector, and the bringing of suits thereon until January 1, 1922, and declaring an emergency."

H. J. R. No. 8, Proposing an amendment to Section 50, of Article 3, of the Constitution of the State of Texas, so that hereafter the Legislature shall have power to give or lend the credit of the State for the purchase and improvement of rural and urban homes.

H. J. R. No. 9, Relating to the amending of Article 8, Section 14, of the State Constitution of the State of Texas, abolishing the office of county tax assessor and devolving the duties of said officer upon the county tax collector.

And find the same correctly engrossed.
PATMAN, Vice-Chairman.

In Memory
of
Hon. W. L. Davidson.

Mr. Crumpton offered the following resolution:

Whereas, The Hon. W. L. Davidson of Austin, Travis County, Texas, Presiding Judge of the Court of Criminal Appeals of the State of Texas, was called by the Divine Father to his final reward on the 25th day of January, A. D. 1921, and

Whereas, He served with honor and distinction as a member and as Presiding Judge of the Court of Criminal Appeals of this State for nearly thirty years; and

Whereas, During his service on the bench, his purpose and effort was dedicated to preserving the fundamental rules, guaranteeing to men their lives and liberty, and that they should not be deprived of either except by due course of the law of the land; and

Whereas, The State has lost an honorable, upright and honest citizen who always was found in the very front of the fray, battling for which he believed to be the best interest of his State; and

Whereas, It being true that no greater heritage could be held in fee than the service of Judge W. L. Davidson to his State; and

Whereas, His unfortunate death is a great and irreparable loss to the State of Texas; now therefore, in recognition of the great loss which the citizens of the State of Texas have sustained; be it

Resolved, That the House of Representatives of Texas tender to his widow our most sincere sympathy, and as evidence thereof, that a copy of this resolution, properly attested, be forwarded to his widow; that a page of the House Journal be set apart and dedicated to his memory and that these resolutions be spread upon the Journal of this House as an expression of our sorrow and regret.

The resolution was read second time and adopted unanimously.